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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,930	11/16/2000	Nancy Berger	BS00-118	3156

7590 05/12/2005

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EXAMINER

AVELLINO, JOSEPH E

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/712,930

Applicant(s)

BERGER ET AL.

Examiner

Joseph E. Avellino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-34 are pending in this examination with claims 1, 16, 22, 26, 30 and 34 being independent.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The aforementioned claims recite that a first session is created between a terminal and the server to transfer non-login data, however further discloses logging in the user of the terminal within the first session. This is unclear since it is impossible to not log in a user without transferring login information. Applicant is required to amend the claims to further clarify the process as claimed.
4. Furthermore it is unclear what is encompassed by the term "non-login data". Correction is required.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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Claims 1, 5, 6, 9, 14, 16, 20, 22, 23, 25-27, 29-31, and 33 rejected under 35 U.S.C. 103(a) as being unpatentable over Fang et al. (USPN 6,243,816) (hereinafter Fang) in view of Taylor et al. (USPN 6,256,676) (hereinafter Taylor).

2. Referring to claim 1, Fang discloses a system for integrated processing of information from a plurality of data systems, the system comprising:

- a first network connection (1, 3), the first network connection adapted to receive information sent from a terminal over a first network and also adapted to received information set to the terminal (Figure 3);

- a plurality of data system connections 6, each data system connection of the plurality of data system connections adapted to receive information sent to a respective data system of the plurality of data systems (Figure 3);

- a server coupled to the first network connection and the plurality of data system connections, the server including:

- a processor (an inherent feature of any machine running the operating systems described in col. 4, lines 7-14);

- a memory coupled to the processor, the memory including a plurality of data system instructions objects (i.e. id/password combinations), wherein each data system instructions object of the plurality of data system instructions objects corresponds to a respective data system of the plurality of data systems, and wherein each data system instructions object manages communications between the terminal and the respective data system of the plurality of data systems by

the data system instructions object if the plurality that corresponds to a particular data system communicating through an applications interface with the terminal to exchange data relevant to the particular data system and by the data systems instruction object communicating with the corresponding data system through a separate application programming interface from the communications with the terminal in order to exchange data between the data systems instruction object and the data system (i.e. it is managed by the object since if the object does not approve of the connection to the data system, it is not allowed) (e.g. abstract; Figure 6; col. 4, lines 1-6; col. 5, lines 1-20; col. 6, lines 42-49; col. 6, line 64 to col. 7, line 30).

Fang does not disclose exchanging non-login data via a first session between the terminal and the server and exchanging non-login data via a second session between the server and the data systems. In analogous art, Taylor discloses another system for integrated processing of information which discloses exchanging non-login data via a first session between the terminal and the server and exchanging non-login data via a second session between the server and the data systems (Figure 18; col. 8, lines 25-32; col. 11, lines 20-30; col. 14, lines 20-45; col. 31, lines 28-33). It would have been obvious to one of ordinary skill in the art to combine the teaching of Taylor with Fang in order to produce improved message tracking and manipulation of disparate systems utilizing differing protocols as supported by Taylor (col. 6, lines 55-65).

3. Referring to claim 5, Fang discloses the memory includes a user profile (i.e. a login coordinator; Figure 5), wherein the user profile instructions object:

receives login information of a user from the terminal (Figure 3; col. 6, lines 42-45); and

determines the access rights of the user for each respective data system of the plurality of data systems (col. 6, lines 42-49).

4. Referring to claim 6, Fang discloses the plurality of data systems instructions objects are object-oriented software modules (the Office takes the term "object-oriented" to mean "able to organize the software modules in a hierarchal manner") (Figure 10 and pertinent portions of the disclosure).

5. Referring to claim 9, Fang discloses the first network connection is a WAN port (i.e. Internet) (col. 12, lines 44-45).

6. Referring to claim 14, Fang discloses each data system being coupled to the server via a respective data system connection of the plurality of data system connections (Figure 3).

7. Claims 16, 20, 22, 23, 25-27, 29-31, and 33 are rejected for similar reasons as stated above. Furthermore Fang discloses sending the data system access rights information to a terminal based at least in part on the determined set of data systems of

the plurality of data systems to which the user has access (Figure 6 and related portions of the disclosure).

Claims 2, 4, 15, 17, 24, 28, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang in view of Taylor in view of Star (US Pre-Grant Pub. 2002/0062270).

8. Referring to claim 2, Fang in view of Taylor discloses the invention substantively as described in claim 1. Fang in view of Taylor furthermore discloses the plurality of data system connections includes a first data system connection and a second data system connection, and the plurality of data system instructions objects include a first data system instructions object and a second data systems instructions object, wherein the first data systems instructions object is different from the second data systems instructions object (Fang, Figure 5 and related portions of the disclosure). Fang in view of Taylor does not specifically state that the first data system connection and the second data system connection are selected from the group consisting of a credit services system connection, an inventory services system connection, a customer services system connection, and an activations system connection and the plurality of data system instructions objects are selected from the group consisting of a credit services instructions object, an inventory services instructions object, customer services instructions object, and an activations system instructions object. In analogous art, Star

discloses another integrated processing system from a plurality of data systems wherein the first data system connection and the second data system connection are selected from the group consisting of a credit services system connection, an inventory services system connection, a customer services system connection, and an activations system connection and the plurality of data system instructions objects are selected from the group consisting of a credit services instructions object, an inventory services instructions object, customer services instructions object, and an activations system instructions object (pp. 3-4, ¶ 24; p. 5, ¶ 33). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Star with Fang and Taylor to facilitate a small business with the services required for managing the day-to-day financial transactions of the company as supported by Star (p. 1, ¶ 8).

9. Referring to claim 4, Fang in view of Taylor discloses the invention substantively as described in claim 1. Fang in view of Taylor does not specifically disclose the memory includes an accounting services instructions object. In analogous art, Star discloses another integrated processing system from a plurality of data systems wherein the memory includes an accounting services instructions object (pp. 3-4, ¶ 24). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Star with Fang and Taylor to facilitate a small business with the services required for managing the day-to-day financial transactions of the company as supported by Star (p. 1, ¶ 8).

10. Claims 15, 17, 24, 28, and 32 are rejected for similar reasons as stated above.

Claims 8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang in view of Taylor in view of Koenig et al. (USPN 6,101,198) (hereinafter Koenig).

11. Fang in view of Taylor discloses the invention substantively as described in claim 1. Fang in view of Taylor does not disclose having a second network connection being adapted to receive information sent from the terminal over the second network and also adapted to receive information sent to the terminal, wherein the second network is different from the first network. Koenig discloses a computer terminal having a second network connection (i.e. another Internet port, HTTP port) being adapted to receive information sent from the terminal over the second network and also adapted to receive information sent to the terminal, wherein the second network is different from the first network (e.g. abstract; Figure 4; col. 7, line 56 to col. 8, line 9). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Koenig with Fang and Taylor to allow a redundant backup system in case a connection fails, thereby increasing customer service and reliability.

12. Claim 12 is rejected for similar reasons as stated above.

Claims 3, 11, 13, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang in view of Taylor in view of Cusack et al (US 2003/0120546) (hereinafter Cusack).

13. Referring to claim 3, Fang in view of Taylor discloses the invention substantively as described in claim 1. Fang in view of Taylor does not disclose a POS database coupled to the server and the memory includes a POS services instructions object. Cusack discloses another system for integrated processing of multiple data systems which includes a POS database (152; Figure 1B) and the memory includes a POS services instructions object (pp. 6-7 ¶ 57). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Cusack with Fang and Taylor to provide viable real-time implementation of POS transactions without causing significant burdens to network infrastructures or undue increases in infrastructure costs as supported by Cusack (pp. 1-2, ¶ 11).

14. Claims 11, 13, and 18, are rejected for similar reasons as stated above.

Claims 19 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang in view of Taylor in view of Cusack as used in the rejections above, and further in view of Levie et al. (USPN 6,065,679) (hereinafter Levie).

15. Referring to claim 19, Fang in view of Taylor in view of Cusack disclose the invention substantively as described in claim 18. Fang in view of Taylor in view of Cusack do not specifically disclose having POS offline instructions to provide POS application functions wherein a data connection between the terminal and server is inoperable, and a persistent message queue to store the POS application information. Levie discloses another POS application system which includes having POS offline instructions to provide POS application functions wherein a data connection between the terminal and server is inoperable, and a persistent message queue to store the POS application information (col. 64, lines 56 to col. 65, line 15). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Levie with Fang, Taylor and Cusack to allow financial transactions to occur wherein there is no environment which does not provide access phone lines or networks as supported by Levie (col. 65, lines 1-10).

16. Claim 34 is rejected for similar reasons as stated above.

Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang in view of Taylor in view of Porter (USPN 6,714,978).

17. Referring to claim 7, Fang in view of Taylor discloses the invention substantively as described in claim 1. Fang in view of Taylor does not disclose the plurality of data systems instructions objects are Java beans. Porter discloses another system of record

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transaction processing which shows data instructions objects as Java beans (col. 21, lines 1-2). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Porter with Fang and Taylor because it would provide for reduced complexity of the system while allowing for the ease of future upgrades or replacements and software enhancements.

18. Claim 21 is rejected for similar reasons as stated above.

Response to Amendment

19. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

20. Applicant has had numerous opportunities to amend the claimed subject matter, and has failed to modify the claim language to distinguish over the prior art of record by clarifying or substantially narrowing the claim language. Thus, Applicant apparently intends that a broad interpretation be given to the claims and the Examiner has adopted such in the present and previous Office action rejections. See *In re Prater and Wei*, 162 USPQ 541 (CCPA 1969), and MPEP 2111.

Again, it is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed

invention in manner, which distinguishes over the prior art. As it is Applicant's right to continue to claim as broadly as possible their invention. It is also the Examiner's right to continue to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality (*i.e. what constitutes non-login data*) that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique. Thus, it is clear that Applicant must submit amendments to the claims in order to distinguish over the prior art use in the rejection that discloses different features of Applicant's claim invention.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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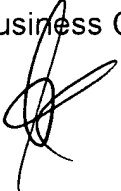
22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

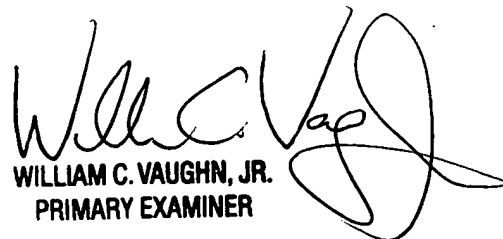
23. Jones et al. (USPN 5,655,077) discloses authenticating access to heterogeneous computing devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEA
May 5, 2005


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER